

MINUTES OF THE  
EAST COVENTRY TOWNSHIP BOARD OF SUPERVISORS  
MEETING HELD ON FEBRUARY 5, 2007  
(Approved February 26, 2007)

The Board of Supervisors held a regular monthly meeting on Monday, February 5, 2007. Present for the meeting were supervisors Robert F. Preston, W. Atlee Rinehart, John Doering, Jr., Tim Roland and Rosemarie C. Miller. Also in attendance were Casey LaLonde, Township Manager and John A. Koury, Jr., Township Solicitor. Mr. Rinehart called the meeting to order at 7:02 p.m. and the pledge was recited.

The Board of Supervisors immediately recessed into executive session to discuss litigation and sewage easements. The monthly meeting reconvened at 7:55 p.m.

Mr. Doering moved to terminate the pending litigation against Arch Insurance Company and Donald Pusey Contractors, Inc. and release the draft letter to Architectural Concepts regarding the 2005 township building expansion. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Preston moved to authorize the Township Solicitor to take all necessary legal action to with respect to the sewer system to the extent required without requesting prior Board authorization during this phase until project is awarded. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

Alternate Township Engineer Interviews

Interviews for alternate engineers began at 8:00 p.m. Mr. Preston noted he did not have an appropriate amount of time to review the information provided regarding the engineering firms due to the late delivery of the documents.

Representatives of Hanover Engineering Associates, Inc. Schoor Depalma, Carroll Engineering Corporation and LTL Consultants provided overviews of their firms. Mr. Preston noted concerns of proper representation by those firms serving adjoining townships those 3 firms being Schoor DePalma, Hanover Engineering, and LTL, Inc. Each firm was questioned on their experience with MS-4 reporting and all firms noted they have experience in such field.

Board action was not taken at this time. The interviews concluded at 9:25 p.m.

**1. MINUTES**

Mr. Doering noted that in order to get the minutes managed properly he created a score sheet for the minutes and also minute guidelines he will submit to the Board for review. Mr. Doering also made a policy how comments will be handled by having the person preparing the minutes incorporate typographical/basic clarity comments and more substantive material be handled at the board meetings.

Minutes of the December 29, 2006 Budget Meeting

There was review of the December 29, 2006 budget meeting minutes. There was a discussion regarding the 2006 wages issues that appear in such minutes. The following content will be added to the December 29, 2006 under subheading, 2007 Budget Discussion.

'Mr. Michael Coine of 1134 Schoolhouse Road asked the Board of Supervisors who is responsible for authorizing the 2006 wage increases and Mr. Doering responded by saying that the supervisors unanimously approved the 2006 budget which at that time was the only official wage action and then they subsequently approve all expenses which includes wages.' Mr. Preston responded by stating that he has indicated to the Board that they approve the budget but the budget is not authorization for salaries and the 5% percent across the board, with the exception of the Police Chief, is what was supposed to happen. Mr. Preston stated that is his position and he cannot accept someone speaking for him on that issue. Mr. Doering noted his response to Mr. Coine's question was a personal response and he was not speaking for the Board. Mr. Preston stated that he requested wage expenses be provided to the Board in the future. Mr. Doering noted that the whole wage issue has to be investigated and Mr. Preston noted the issue should be investigated by an independent party. Mr. Preston suggested the Chief of Police be the independent party for the wage expenses investigation. Other amendment being under subheading, 2007 Budget Discussion, the last paragraph to read 'Mr. Preston polled each board member with the question before the roll call vote on the budget was taken. Have you read line by line the proposed 2007 budgets dated December 22, 2006 as submitted earlier by the manager? Each board member responded 'yes' to that question. Mr. Rinehart moved to adopt the proposed 2007 budget dated December 22, 2006. There were no corrections, modifications, or changes offered by any East Coventry Township Board of Supervisors member to the December 22, 2006 budget as submitted by the manager. Mr. Doering seconded the motion. Mr. Preston called for a roll call vote. Mr. Roland voted yes. Mr. Doering voted yes. Mr. Rinehart voted yes. Mr. Preston voted no. Mrs. Miller voted no. Mr. Preston stated he felt that the budget is an illegal document because loan monies (that still appear in the budget) cannot be used for operating expenses. The motion carried with a 3-2-0 vote, under subheading, 2007 Tax Anticipation Note, add 'There was no discussion regarding tax anticipation note'.; directly under this sentence add header Tax Rate Resolution.

Mr. Doering moved to approve of the minutes of the December 29, 2006 budget meeting as amended. Mr. Roland seconded the motion. The vote carried with a 5-0-0 vote. Mr. Doering requested the amended minutes be forwarded for review.

#### Minutes of the January 8, 2007 Special Meeting

It was requested that when a person leaves a meeting that it is noted where in the meeting that person left.

Mr. Rinehart moved to approve the minutes of the January 8, 2007 special meeting as amended. Mr. Preston seconded the motion. The vote carried with a 5-0-0 vote. Amendments being under subheading, Zoning Ordinance Discussion, 26<sup>th</sup> paragraph shall read 'Tracy Graham, 1713 Old Schuylkill Road, does not want any changes to current Zoning in her neighborhood, under same subheading, the second to the last paragraph shall read 'Mr. Roland had to leave the meeting at 9:05 p.m.

#### Minutes of the January 15, 2007 Workshop Meeting

Mr. Doering suggested that if a Board member would like to see certain detail in the minutes that they say such in advance so it may be included in the minutes.

Mr. Doering moved to approve the minutes of the January 15, 2007 workshop meeting as amended. Mr. Preston seconded the motion. Mr. Roland opposed. The vote carried with a 4-1-0 vote. Amendments being under subheading, Minutes of the January 2, 2007 Monthly Meeting, after Code Official Report, add 'the Code Official Reported was approved with a 5-0-0 vote, in the same paragraph change 'budge' to 'budget', under subheading, Road Projects, add a sentence to read 'It was noted that the Road Supervisor already does 5-year projecting', the paragraph before Adjournment shall read 'Mrs. Miller resigned from the Secretary position. Mr. Rinehart asked Mr. Preston if he would like to take the Secretary position and Mr. Preston stated he would not accept the position for the same reason that Mrs. Miller resigned from the position. Mr. Preston stated he did not feel the minutes are being handled properly.'

#### Minutes of the January 19, 2007 Phase II Sewer Project Meeting

Mr. Preston moved to approve the minutes of the January 19, 2007 Phase II sewer project meeting as amended. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote. Amendments being under subheading, Phase II Sewer Project Financing, in the fourth paragraph change 'weather' to 'whether'.

#### Minutes of the January 22, 2007 Special Meeting

Mr. Preston moved to approve the minutes of the January 22, 2007 special meeting as amended. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote. Amendments being after the first paragraph add a sentence to read 'Mr. Koury was present for the executive session only', under subheading, Phase II Sewer Project, in the fourth paragraph change 'Jen' to 'Jens', under subheading, Public Comment, add to the end of the paragraph' and Mr. Rinehart responded 'no'. Mr. Rinehart will arrange for banks to have an open house for sewer connection loans', under subheading, Phase II Sewer System Bid Analysis, add the last sentence in the last paragraph shall read 'Mr. Preston stated that the easements have not be secured but must be in place prior to the awarding of the contract.

## **2. PUBLIC COMMENT**

Mrs. Gail Brown of 500 Sanatoga Road asked Mrs. Miller why she resigned from the position of Secretary and Mrs. Miller responded that she resigned because the minutes were not submitted to her in a timely manner and she could not review them properly because of the time lapse.

Mrs. Brown inquired about the discrepancies between the budget that was approved on December 29, 2006 and the budget that is posted on the website. Mr. Preston noted the \$135,000 loan could not be used to balance the budget. Mr. Preston provided the December 22, 2006 budget to be copied and provided to the Township Manager for comparison of the budget that is posted on the website. Mr. Preston noted he will provide copies of the proper budget documents and the budget from the website and he would ask that the other Board members review this information for discrepancies. Mr. Preston noted he has requested on two occasions to have the December 22, 2006 budget placed on the website and such task has not been completed nor has he received any response.

Mrs. Brown inquired if year-end totals can be put on budgets and Mr. Doering stated that such issue could be investigated. Mr. Preston suggested financial statements be posted on the website and Mr. Doering stated he felt it to be a good idea.

Mrs. Brown noted that earlier this month she submitted three documents from her and her husband and inquired if those documents have been reviewed. Mr. Rinehart noted that he wanted to speak to the department heads before addressing the memos, noted that he has done so and that this issue would not be able to be addressed this evening due to the full agenda. Mr. Lawrence Brown of 500 Sanatoga Road noted the issue of how raises got approved and if the Board has investigated the issue. Mr. Rinehart stated that Board has had the Township Manager survey salaries. Mr. Brown noted that is not the issue, but the issue is how the salaries got approved in 2006. Mr. Brown asked the Board if they intend to investigate. Mr. Rinehart noted that the Board issued a percentage on salaries but he was not sure of how they were tabulated but Mr. Rinehart will look into that himself. Mr. Rinehart noted that proper systems must be put in place to assure the proper paying of employees. Mr. Brown stated this issue has been outstanding for two months.

Mrs. Elaine Preston of 2013 East Cedarville Road noted that the budgets are under the heading of 'Gun Locks Available' on the website.

### **3. REPORTS**

#### Reports from Various Departments and Committees

Mr. Preston moved to approve the reports from the various departments and committees. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

### **4. SUBDIVISION AND LAND DEVELOPMENT**

#### Project: Neuman Subdivision Applicant: West Gate Land Development

Mr. Preston moved to accept the January 23, 2007 letter from the Historical Commission pertaining to the Neuman Subdivision and authorize the affixing of the Board of Supervisors signature to such letter. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Preston moved to approve Resolution 2007-06 granting sketch plan approval for the Neuman Subdivision. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

#### Project: Bauman Subdivision Applicant: Ruth Bauman

Mr. Bob Ludgate of Ludgate Engineering, engineer for the applicant, was present. Mr. Ludgate noted that soils boundary issues were being addressed and they have been working with a few different soils engineers. Mr. Doering asked Mr. Ludgate if they have made any attempt to keep the township abreast of the status of the project and Mr. Ludgate noted that he did not know the answer to that question.

Mr. Preston moved to deny the Bauman Subdivision plan and authorize the Township Solicitor and Township Engineer to draft the denial letter. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

#### Project: Walnut Springs Farm Applicant: Telvil Corporation

Mr. Doering moved to approve Escrow Release No. 9 for Walnut Springs Farm for the amount of \$22,811.69. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Project: Coventry Glen Applicant: Heritage Building Group  
Mr. Preston moved to approve Escrow Release No. 20 for Coventry Glen for the amount of \$8,079.75. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

Project: Heather Glen Applicant: Heritage Building Group  
Mr. Preston moved to approve Escrow Release No. 10 for Heather Glen for the amount of \$5,136.30. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

Project: Parkerford Church of the Brethren Applicant: Parkerford Church of the Brethren  
Mr. Preston moved to approve Escrow Release No. 3 for Parkeford Church for the amount of \$73,197.75. Mr. Roland seconded the motion. Mr. Doering abstained due to his involvement with Parkerford Church. The motion carried with a 4-0-1 vote.

Project: Coventry Self Storage Applicant: Ronald Elliott  
Mr. Preston moved to approve Escrow Release No. 8 for Coventry Self Storage for the amount of \$35,568.13. Mrs. Miller seconded the motion. The motion carried with a 5-0-0 vote.

## **5. OTHER BUSINESS**

### Exoneration and Exemptions

Mrs. Miller moved to approve the exoneration and exemptions as provided by the Tax Collector. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote. Mr. Preston inquired why exoneration and exemptions are being submitted so frequently and it was requested the Tax Collector be consulted regarding this issue.

### Police Policy

Mr. Preston moved to approve Resolution No. 2007-07 approving police policy. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

There was a discussion regarding the parking issues at Coventry Glen. Mr. Preston stated that emergency vehicles would not fit through to address emergencies. Mr. Preston suggested the Township Solicitor draft a letter to Mr. David Watt of Heritage Building Group putting him on notice that if he does not allow us to enforce the law that he will be held responsible. Mr. Doering questioned if such a letter could be sent and the Township Solicitor may need to investigate that. The Township Solicitor suggested that dedications be investigated. Mr. Preston moved to authorize the Township Solicitor to prepare a letter to Dave Watt, Heritage Building Group, requesting permission to enforce township and state law to ensure public safety or Heritage Building Group will take full responsibility for any liability. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

### Auditor

Mr. Doering moved to approve Resolution 2007-08 appointing Barbacane, Thornton & Company to replace the elected auditors of East Coventry Township for fiscal year ending December 31, 2006. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

## **6. DISCUSSION ITEMS**

#### MS-4 Program Compliance

Mr. Preston noted that the Board requested a proposal for ARRO Consulting, Inc. to provide MS-4 Program Reporting services as a result of non-compliance notices from the DEP. Mr. Doering noted that a plan for completion of the work has to be in place by February 23, 2007. Mr. Preston noted that if too many violation notices are issued by DEP they would start fining. Mr. Preston recommended ARRO come in and investigate what needs to be done and meet with Mr. Richard Breitenstein to determine what exactly needs to be done, and demonstrate the township's intent to rectify the issues.

Mr. Preston moved to accept the \$2,500 proposal from ARRO Consulting, Inc. dated January 30, 2007 to prepare a final proposal to bring East Coventry Township into compliance with MS-4 Program. Mr. Doering seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Doering moved have ARRO Consulting, Inc. bringing the Township into compliance with MS-4 be communicated by e-mail to Mr. Richard Breitenstein of the DEP and direct the Township Manager to arrange a site meeting. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

#### Confined Space Entry

Mr. Preston provided a memo to the Board regarding confined space. Mr. Preston noted there was a recommendation from ARRO Consulting, Inc. for Public Works to purchase a high-pressure washer. It was noted that the Public Works Department already has a high-pressure washer. Mr. Doering recommended that all information be reviewed and confined space entry be discussed at the workshop meeting.

#### Salary Data

Mr. Rinehart requested an executive session to discuss salaries. Mr. Preston stated that salaries don't apply for an executive session. The Township Solicitor noted that salaries could be a personnel issue depending on how the manner of which it is discussed the Board has a right to go into executive session but if it is general salaries or benchmarking that may apply to all personnel then it probably may not be executive session material. Mr. Preston suggested benchmarking be prepared by a third party.

Mr. Doering moved to request Barbacane, Thornton & Company to submit a proposal to be a third party to analyze salary benchmark data relative to East Coventry Township positions. Proposal to be submitted to the Board of Supervisors that clearly indicates criteria used to establish such benchmarks. Mr. Roland seconded the motion. The motion carried with a 5-0-0 vote.

#### Township Fuel Tank

Mr. Rinehart moved to relocate the fuel tank to limit exposure (in compliance with MS-4 Program), adding a berm and the expansion of the Public Works bay. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

### **7. ADDITIONAL INFORMATION BROUGHT BEFORE THE BOARD**

Mr. Rinehart moved to authorize the Township Solicitor to prepare the floodplain ordinance and updated building code ordinance and arrange for the appropriate advertising of such ordinances. Mr. Roland seconded the ordinance. The motion carried with a 5-0-0 vote.

Mr. Preston distributed the budget obtained on February 4, 2007 from the township website and the December 22, 2006 budget that was approved on December 29, 2006.

Mr. Rinehart moved to approve the purchase of a replacement vehicle (4WD Ford Expedition) for the Police Department out of the Capital Reserve Budget. Mr. Preston seconded the motion. The motion carried with a 5-0-0 vote.

Mr. Doering presented minute guidelines for the Board's review and Mr. Preston requested they be e-mailed.

## **8. ADJOURNMENT**

The workshop meeting adjourned at 11:55 p.m.

Respectfully submitted,

John Doering, Jr.  
Township Secretary